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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,128	06/13/2002	Claude Scher	GEMS0160	3222

27256 7590 05/17/2004

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EXAMINER

CHARIOUI, MOHAMED

ART UNIT	PAPER NUMBER
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2857

DATE MAILED: 05/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant(s)

10/064,128

Applicant(s)

SCHER ET AL.

Examiner

Mohamed Charioui

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. **Claim 8** is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 8 recites the same limitations as claim 7, therefore it does not further limits claim 7.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8, 16 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Schleiss et al. (U.S. 6,298,454)

As per claims 1, 7, 8, 16 and 17, Schleiss et al. teach a computer controller coupled to the data acquisition system (see col. 3, lines 15-29); a display device coupled to the computer controller (see col. 4, lines 40-56); the controller receiving data from the data acquisition system, diagnosing a problem in response to the data (see col. 6, line 51 to col. 7, line 9), the controller generating a screen display corresponding to an architectural representation of the data acquisition system (see col. 3, lines 40-51),

the controller generating a screen indicia on the display device corresponding to a location of a problem on the schematic representation of the data acquisition system (see col. 3, lines 50-64).

As per claim 2, Schleiss et al. further teach that data is stored in a memory (see col. 6, lines 51-58); and wherein the data is communicated from the data acquisition system (see col. 6, lines 51-58 and Fig. 2).

As per claims 3-5, Schleiss et al. further teach a network coupling the computer controller and the data acquisition system (see col. 6, line 62 to col. 7, line 9).

As per claim 6, Schleiss et al. further teach that the controller has a web browser, the controller generating the screen indicia through the web browser (see col. 16, lines 4-28).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 9-14 and 18-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schleiss et al. in view of Taguchi et al. (U.S. 5,807,256).

Schleiss et al. teach the system as stated above except that the data acquisition system is disposed with the computed tomography system.

Taguchi et al. teach this feature (see col. 12, line 60 to col. 13, line 7; Fig. 1; and col. 16, lines 41-67; and col. 12, lines 13-40). It would have been obvious to one having

ordinary skill in the art at the time the invention was made to incorporate Taguchi et al.'s teaching into Schleiss et al.'s invention because the computed tomography system would acquire data for processing. Therefore, diagnostics and interpretation of data would be performed.

4. **Claim 15** is rejected under 35 U.S.C. 103(a) as being unpatentable over Schleiss et al. in view of Howards Korritzinsky et al. (U.S. 6,598,011).

Schleiss et al. teach the system as stated above except that the controller has a web browser.

Howards Korritzinsky et al. teach this feature (see col. 9, lines 1-15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate Howards Korritzinsky et al.'s teaching into Schleiss et al.'s invention, because it would connects the controller to a browser. Therefore, diagnostic data would be viewed remotely and/or instantly via browser and pre-processing and ordering diagnostic data from archives would be obviated.

Prior art

5. The prior art made record and not relied upon is considered pertinent to applicant's disclosure:

Crawford et al. ['113] disclose apparatus and method for processing object data in computed tomography data using object projections.

Schubert ['438] discloses dual acquisition imaging method and apparatus.

Rothschild et al. ['703] disclose medical image management system and method.

R spons to Argum nts

6. Applicant's arguments filed 3/5/04 have been fully considered but they are not persuasive.

Applicant argues that Schleiss reference does not teach that the controller generates screen indicia on the display device corresponding to the location of the problem on the schematic representation of the data acquisition system.

Examiner sees that this feature is taught in this passage and also it is taught in greater details in (col. 17, line 57 to col. 18, line 3 and Fig. 5). Therefore, Examiner maintains the rejection.

Contact information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohamed Charioui whose telephone number is (571) 272-2213. The examiner can normally be reached Monday through Friday from 9 am to 6 pm.

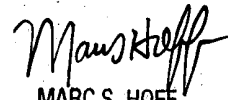
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S Hoff can be reached on (571) 272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2857

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mohamed charioui

5/3/04



MARC S. HOFF
SUPERVISORY PATENT EXAMINER
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